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## PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of  
Wilhelm **HOFMANN** et al.

Confirmation No.: 7241  
Art Group: 3746

Appln. No.: 10/558,938

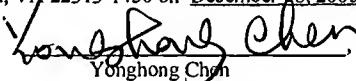
Filed: 12/01/2005

For: **DEVICE AND METHOD FOR CONTROLLING A THICK MATTER PUMP**

Attorney Docket No.: 3827-142

Customer Number: 30448

CERTIFICATE UNDER 37 CFR 1.8(a)  
I hereby certify that this correspondence is being deposited either by facsimile to 571-273-8300 or with the U.S. Postal Service as First Class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 18, 2006.



, Reg. No. 56,150  
Yonghong Chen

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97 and §1.98**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the following documents for the above-identified application. Copies of any non-US documents set forth below and listed on the attached Form PTO/SB/08A, copy of the International Search Report (ISR) and the German Search Report issued in the corresponding applications are provided herewith. A copy of an English translation of the International Preliminary Report on Patentability is also enclosed herewith.

1. DE 42 06 576 A1 (English abstract provided)

2. EP 0 562 398 A1 (English abstract provided)
3. EP 0 567 826 A2 (English abstract provided)
4. DE 195 42 258 A1 (English abstract provided)
5. DE 100 38 647 A1 (English abstract provided)
6. US 5,401,140

Documents 1-3 are cited in the ISR. Documents 4-6 are cited in the German Search Report. A concise explanation of relevancy for each non-English document is provided below:

#### **Document 1**

It is indicated in the ISR that column 2, line 1 – column 3, line 11, column 6, line 19 – column 7, line 13 ,claim 1, and figure 1 of Document 1 are "A" category relevant to claims 1 and 6 of the corresponding PCT application.

#### **Document 2**

It is indicated in the ISR that page 2, lines 1-53, page 6, line 31 – page 8, line 21, claims 1-2, and figure 1 of Document 2 are "A" category relevant to claims 1 and 6 of the corresponding PCT application.

#### **Document 3**

It is indicated in the ISR that column 2, lines 8-42, column 3, line 35 – column 4, line 21, claim 1, and figure 1 of Document 1 are "A" category relevant to claims 1 and 6 of the corresponding PCT application.

#### **Document 4**

It is indicated in the German Search Report that Document 4 is "A" category relevant to the corresponding German application.

#### **Document 5**

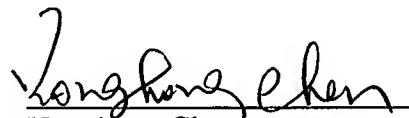
It is indicated in the German Search Report that column 2, lines 16-43 of Document 5 is "Y" category relevant to claim 1 of the corresponding German application.

Since the present Information Disclosure Statement is being filed before the mailing date of the first office Action, no certificate under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with MPEP §609.

Respectfully submitted,



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PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

**U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE**

Substitute for form 1449/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

<b>Complete if Known</b>	
Application Number	10/558,938
Filing Date	12/01/2005
First Named Inventor	Wilhelm Hofmann
Art Unit	3746
Examiner Name	
Attorney Docket Number	3827.142

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code <sup>2</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
/C.F./		DE 42 06 576 A1	09-09-1993	Putzmeister-Werk Maschinenfabrik GmbH	.
		EP 0 562 398 A1	09-29-1993	Friedrich Wilh. Schwing GmbH	
		EP 0 567 826 A2	11-03-1993	ABEL-PUMPEN GMBH & CO. KG	
		DE 195 42 258 A1	05-15-1997	Putzmeister-Werk Maschinenfabrik GmbH	
/C.F./		DE 100 38 647 A1	02-21-2002	Hudelmaier, Jörg	

Examiner Signature	/Charles Freay/	Date Considered	01/05/2009
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*\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.*

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.